

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO. 947 OF 2018**

Mallikarjun @ Mallu Annarao Patil ... Applicant

Versus

State of Maharashtra ... Respondent

Mr. Ritesh Thobde for Applicant.

Ms. Rutuja Ambekar, APP for Respondent – State.

**CORAM : NITIN W. SAMBRE, J.**

**DATE : MARCH 8, 2019.**

**P.C. :**

. In Crime No. 22 of 2018 for an offence punishable under Sections 379, 353, 308, 115, 189, 511, 504, 506 read with Section 34 of Indian Penal Code and Sections 8 & 15 of the Environment Protection Act, the Applicant is seeking pre-arrest bail.

2. Heard Mr. Thobde, the learned Counsel for Applicant.

3. It is claimed that the role attributed to the Applicant is at par with co-accused Hanmant Patil who is already ordered to be released on pre-arrest bail. The further submission is, the Applicant is falsely implicated in the crime in question out of the political rivalry.

4. The learned Counsel for Applicant would urge that the custodial interrogation of the Applicant is not warranted, as the Applicant is very much available to co-operate with the investigation.

5. *Per contra*, the learned APP opposed the claim based on the contents of FIR and also the criminal antecedents.

6. Having considered the rival submissions, what is noticed is, the presence of the Applicant on the spot is asserted from the statements of co-accused who were apprehended from the spot of the incident.

7. Apart from above, this Court cannot overlook the antecedents of similar nature against the Applicant. The ground of political rivalry, in my opinion, is too vague to appreciate.

8. That being so, no case for grant of pre-arrest bail is made out. Hence, the Anticipatory Bail Application stands rejected.

**(NITIN W. SAMBRE, J.)**